

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK BEASLEY,  
Plaintiff,

v.

LUCKY STORES, INC., et al.,  
Defendants.

Case No. [18-cv-07144-MMC](#)

**ORDER RE: PLAINTIFF'S MOTION TO  
EXCLUDE FROM EVIDENCE THE  
DEPOSITION OF PLAINTIFF MARK  
BEASLEY AND FOR SANCTIONS**


Before the Court is plaintiff's "Motion to Exclude from Evidence the Deposition of Plaintiff Mark Beasley and for Sanctions," filed August 6, 2020, whereby plaintiff seeks an order excluding the entirety of his deposition "from evidence in motions and at trial" (see Doc. No. 98-2 (Proposed Order) at 3:2) and awarding him costs and attorney's fees, in light of what plaintiff characterizes as defendants' counsel's failure to maintain standards of civility and professionalism in conducting said deposition.

At this stage of the proceedings, no trial date has been set and there is no pending dispositive motion, or any other motion in support of which any part of plaintiff's deposition has been offered. Consequently, to the extent plaintiff seeks an order excluding the deposition from evidence, the motion is hereby DENIED as premature.

To the extent plaintiff seeks an order imposing sanctions, the matter is hereby REFERRED to Magistrate Judge Alex G. Tse, to whom, by prior order, all discovery matters have been referred.

**IT IS SO ORDERED.**

Dated: August 14, 2020

  
MAXINE M. CHESNEY  
United States District Judge